

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

W.6 Restaurant Group Ltd., d/b/a The	)	CASE NO.: 1:17-cv-02521
Barley House of Cleveland, et al.	)	
	)	JUDGE DAN AARON POLSTER
Plaintiffs	)	
	)	<b><u>RICHARD BENGTON AND ALISSA</u></b>
v.	)	<b><u>VIOLET BUTLER'S RESPONSE TO</u></b>
	)	<b><u>MOTION TO INTERVENE</u></b>
Richard Bengtson, et al.	)	
	)	
Defendants	)	

Defendants Richard Bengtson and Alissa Violet Butler (“Defendants”), by and through their undersigned counsel, hereby file their Response to the Motion to Intervene filed by Eugene Volokh (Dkt. No. 29), pursuant to the Court’s order dated January 22, 2018 (Dkt. No. 32).

While Defendants appreciate and understand Professor Volokh’s interest in reporting on First Amendment issues in general and on this case, the Confidential Partial Settlement Agreement that is at issue in his motion was intentionally not docketed, adopted into or approved by a court order or consent decree, was not attached to or included with any papers filed by any party, and was not admitted at any evidentiary hearing. Therefore, Defendants believe it remains confidential pursuant to its express terms and conditions..

**CONCLUSION**

For the reasons stated above, Defendants believe the Confidential Partial Settlement Agreement should remain confidential pursuant to its express terms and conditions.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The foregoing was electronically filed this 29th day of January 2018. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ David M. Cuppage

David M. Cuppage

*One of the Attorneys for Defendants*